REMARKS

Claims 1-28 are pending. Independent claims 1, 13, 18, 21, 24, and 27 have been amended. Claim 28 is newly added. No new matter has been added.

Claims 1-27 are rejected under 35 U.S.C. §103(a) as being unpatentable over Dandurand ("Market Niche Analysis In the Casino Gaming Industry," Journal of Gambling Studies, Vol. 6(1), Spring 1990), in view of Sheppard (U.S. Patent No. 6,026,397).

Neither Dandurand nor Sheppard, considered alone or in combination, describe or suggest a computer-implemented method for analyzing data as recited in claim 1. Specifically, neither Dandurand nor Sheppard, considered alone or in combination, describe or suggest "comparing the selected attributes associated with each of the first subset of the individuals with the selected attributes associated with others of the first subset of individuals to determine at least one difference among the plurality of attributes according to which the first subset of individuals may be divided into further subsets of the individuals, the at least one difference determined based on the plurality of attributes received via the player tracking system" as recited in claim 1. Rather, Dandurand describes conducting a profile study based on personal interviews of 3,200 visitors to Las Vegas during a period July 1, 1985 thru June 30, 1986 (page 81). The visitors were selected based on a proportional multi-stratified quota and systematic sample (page 81). The interviews included a self-administered questionnaire that contained direct, non-disguised, and structured questions regarding visitor behavior, expenditures, attitudes, and socio-demographics (page 81). Further, Sheppard describes analyzing a data file containing a plurality of data records (col. 1, lines 39-41). Each data record contains a plurality of parameters (col. 1, lines 39-41). Sheppard further describes segmenting the data records into a plurality of segments based on the parameters and clustering the data records into a plurality of clusters containing data records having similar parameters (col. 1, lines 44-49).

A description of conducting the profile study based on personal interviews of the visitors to Las Vegas in Dandurand, and a description of the segmentation of the data records and the clustering of the data records into data records having similar parameters in Sheppard does not describe or suggest the determination of the at least one difference performed based on the plurality of attributes received via the player tracking system as recited in claim 1. Accordingly, neither Dandurand nor Sheppard, considered alone or in combination, describe or suggest "comparing the selected attributes associated with each of the first subset of the individuals with the selected attributes associated with others of the first subset of individuals to determine at least one difference among the plurality of attributes according to which the first subset of individuals may be divided into further subsets of the individuals, the at least one difference determined based on the plurality of attributes received via the player tracking system" as recited in claim 1.

Further, neither Dandurand nor Sheppard, considered alone or in combination, describe or suggest the remaining recitations of claim 1 that are based on the recitation of "the at least one difference determined based on the plurality of attributes received via the player tracking system". For example, neither Dandurand nor Sheppard, considered alone or in combination, describe or suggest "forming a further subset in accordance with the at least one difference; identifying further selected ones of the plurality of attributes shared by the individuals in the further subset to define a promotional offering in association with the identified further selected ones of the plurality of attributes shared by the individuals in the further subset; and providing the promotional offering as an award for one or more individuals in the further subset, wherein the one or more individuals in the further subset has a second set of attributes which are common with only specific individuals from the first subset of the individuals and which may be used to identify distinct subgroups within the first subset with reference to differences in attributes of the first subset, and wherein each difference may be referred to as a single relational polymorphism."

Hence, for at least the reasons set forth above, Applicants respectfully submit that claim 1 is patentable over Dandurand in view of Sheppard.

Claims 2-17 depend, directly or indirectly, from independent claim 1. When the recitations of claims 2-17 are considered in combination with the recitations of claim 1, Applicants respectfully submit that claims 2-17 are also patentable over Dandurand in view of Sheppard.

Further, for at least the reasons set forth above, neither Dandurand nor Sheppard, considered alone or in combination, describe or suggest the central processing unit being operable to "compare selected ones of the plurality of attributes associated with each of a first subset of the individuals with the selected attributes associated with others of the first subset of individuals to determine at least one difference among the plurality of attributes according to which the first subset of individuals may be divided into further subsets of the individuals, the at least one difference determined based on the plurality of attributes received via the player tracking system" as recited in claim 18. Specifically, a description of conducting the profile study based on personal interviews of the visitors to Las Vegas in Dandurand, and a description of the segmentation of the data records and the clustering of the data records into data records having similar parameters in Sheppard does not describe or suggest the determination of the at least one difference based on the plurality of attributes received via the player tracking system.

Further, neither Dandurand nor Sheppard, considered alone or in combination, describe or suggest the remaining recitations of claim 18 that are based on the recitation of "the at least one difference determined based on the plurality of attributes received via the player tracking system". For example, neither Dandurand nor Sheppard, considered alone or in combination, describe or suggest the central processing unit being operable to "form a further subset in accordance with the at least one difference; identify further selected ones of the plurality of attributes shared by the individuals in the further subset to define a promotional offering in

association with the identified further selected ones of the plurality of attributes shared by the individuals in the further subset; and provide the promotional offering as an award for one or more individuals in the further subset". Hence, for at least the reasons set forth above, Applicants respectfully submit that claim 18 is patentable over Dandurand in view of Sheppard.

Moreover, for at least the reasons set forth above, neither Dandurand nor Sheppard, considered alone or in combination, describe or suggest "comparing selected ones of the plurality of attributes associated with each of a first subset of the individuals with the selected attributes associated with others of the first subset of individuals to determine at least one difference among the plurality of attributes according to which the first subset of individuals may be divided into further subsets of the individuals, the at least one difference determined based on the plurality of attributes received via the player tracking system; forming a further subset in accordance with the at least one difference; defining a promotional offering in association with at least one of the at least one difference; and providing the promotional offering as an award for one or more individuals in the further subset" as recited in claim 21. Hence, claim 21 is patentable over Dandurand in view of Sheppard.

Additionally, a description of the conducting the profile study based on personal interviews of the visitors to Las Vegas in Dandurand, and a description of the segmentation of the data records and the clustering of the data records into data records having similar parameters in Sheppard does not describe or suggest the determination of the at least one single relational polymorphism based on the attributes received via the player tracking system as recited in claim 24. Accordingly, neither Dandurand nor Sheppard, considered alone or in combination, describe or suggest "comparing the selected attributes associated with each of the first subset of individuals with the selected attributes associated with others of the first subset of individuals to determine at least one single relational polymorphism in the respective gaming DNA attributes, the at least one single relational polymorphism determined based on the plurality of attributes

received via the player tracking system; dividing the first subset of individuals into further subsets of the individuals in accordance with the at least one single relational polymorphism; and providing the promotional offering as an award for one or more individuals in at least one of the further subsets" as recited in claim 24. Hence, for at least the reasons set forth above, claim 24 is patentable over Dandurand in view of Sheppard.

Further, for at least the reasons set forth above, neither Dandurand nor Sheppard, considered alone or in combination, describe or suggest "the one or more individuals in the further subset has a second set of attributes which are common with only specific individuals from the first subset of the individuals and which may be used to identify distinct subgroups within the first subset with reference to differences in attributes of the first subset, and wherein each difference may be referred to as a single relational polymorphism, the single relational polymorphism determined based on the plurality of attributes received via the player tracking system" as recited in claim 27. Hence, claim 27 is patentable over Dandurand in view of Sheppard.

Claims 19 and 20 depend from independent claim 18, claims 22 and 23 depend from independent claim 21, and claims 25 and 26 depend from independent claim 24. When the recitations of claims 19 and 20 are considered in combination with the recitations of claim 18, claims 22 and 23 are considered in combination with the recitations of claim 21, and claims 25 and 26 are considered in combination with the recitations of claim 24, Applicants respectfully submit that claims 19, 20, 22, 23, 25, and 26 are also patentable over Dandurand in view of Sheppard. Hence, for at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of claims 1-27 be withdrawn.

Claim 28 depends from independent claim 1, which is patentable over the cited art for the reasons set forth above. Accordingly, claim 28 is also patentable over the cited art.

Moreover, pages 5-6 of the Office Action describe:

6.   Regarding claim 3, applicant teaches that the "query" attribute that is used to create the

"first subset" is part of the "selected attributes." The query attribute in claim 2 is used to create a

"first subset" whereby all individuals in this group have at least the "query attribute." However,

applicant states in claim 1 that the "selected attributes" are compared in order to determine a

"difference" between individuals. It is unclear to the examiner how it would be possible to have

a query attribute that is used to find similar individuals also be in the group of attributes that is

used to find "difference[s]" between individuals.

Applicants respectfully traverse the statements on pages 5 and 6. Applicants have

amended claim 1 to recite "querying the relational database based on selected ones of the

plurality of attributes". Accordingly, Applicants respectfully submit that claim 3, which depends

from claim 1, is clear.

Additionally, page 7 of the Office Action describes:

11.   Regarding claim 10, applicant teaches that the marketing strategy comprises "identifying

at least one single relational polymorphism" between the subsets. Applicant teaches that a

"single relational polymorphism" is an attribute which is different for a subset of individuals.

(Specification, Page 17).

Applicants respectfully traverse the statement on page 7. Applicants respectfully submit

that page 17, lines 8-11, of the specification describes that the "phrase "Single Relational

Polymorphism" as used herein represents a single *relationship of data attributes* which is

different, or has changed, for an individual or subset of individuals from that set of data attributes

that exists for a larger group or superset of individuals."

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. Early favorable consideration of this Amendment is earnestly solicited and Applicants respectfully request that a timely Notice of Allowance be issued in this case. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (510) 663-1100.

Respectfully submitted,

/ Roger S. Sampson /

Roger S. Sampson
Registration No. 44314
Weaver Austin Villeneuve & Sampson LLP
P.O. Box 70250
Oakland, CA 94612-0250
(510) 663-1100